

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

**IRON WORKERS DISTRICT COUNCIL
OF SOUTHERN OHIO & VICINITY
BENEFIT TRUST, et al.**

Plaintiffs

v.

**J & H REINFORCING AND
STRUCTURAL ERECTORS, INC., et al.**

Defendants

Case No. 3:18-cv-00017

Judge Thomas M. Rose

Magistrate Judge Sharon L. Ovington

MOTION FOR ORDER OF DISBURSEMENT

Defendants request an order from the Court directing the Clerk's Office to disburse excess money garnished in this matter.

After judgment was entered, in July 2018 Garnishee US Bank deposited \$24,872.09 with the Clerk's office.

On August 7, 2018, Plaintiffs filed a Motion for Order to Disburse Funds Held By This Court (ECF No. 24). As noted by Plaintiffs in their motion, Defendants had made direct payments to Plaintiffs, decreasing the balance of the judgment amount. As a result, Plaintiff only moved for disbursement of \$14,039.61 as the then remaining unsatisfied amount. That disbursement was then completed around September 2018.

The balance of \$10,832.48 continues to be held by the Clerk's Office. Defendants request disbursement of the excess balance back to Defendants.

Defendants move that \$10,832.48 be disbursed by the Court to Defendants' counsel:

Schwandner Law Firm LLC
Attn: Nicholas W. Schwandner, Esq.
119 E. Court St., Ste. 504
Cincinnati, OH 45202

A proposed order is attached.

Respectfully submitted,

/s/ Nicholas W. Schwandner

Nicholas W. Schwandner (0086471)

SCHWANDNER LAW FIRM LLC

119 E. Court St., Suite 504

Cincinnati, OH 45202

T: 513-429-4099

F: 513-772-7904

ns@schwanlawfirm.com

Counsel for Defendants

J & H Reinforcing & Structural Erectors, Inc.

and Donald A. Hadsell

CERTIFICATE OF SERVICE

I certify that a copy was filed electronically, on July 10, 2023, via the Court's CM/ECF system, which will serve notification upon:

Joseph C. Hoffman, Jr.

Joseph D. Mando

David M. Pixley

Faulkner, Hoffman & Phillips, LLC

20445 Emerald Parkway Dr., Ste. 210

hoffman@fhplaw.com

mando@fhplaw.com

pixley@fhplaw.com

/s/ Nicholas W. Schwandner

Nicholas W. Schwandner